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Notice of Allowability	Application No.	Applicant(s)	
	10/754,800	ROCHE ET AL.	
	Examiner	Art Unit	
	Jennifer A. Mehmood	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to appeal brief request filed December 14, 2006.
2. ☒ The allowed claim(s) is/are 1-6, 9 and 10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20070104</u>. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|--|

Pre-appeal Brief Request for Review

1. In view of the pre-appeal brief request and notice of appeal filed on December 14, 2006, claims 1-6, 9, and 10 are determined allowable over prior art; however, since the claims contain numerous formal errors, pro se inventors agreed to examiner's proposed amendments for placing the case in better form for allowance. See examiner's amendments below.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Robert Roche on January 4, 2007.

The application has been amended as follows:

Claim 1:

Line 1: Change "Method" to --A method--.

Line 4: Delete "of the [[-]] hemispheric, i.e." and replace with --of a--.

Line 6: Delete "said entire".

Lines 6 and 7: Delete "the physical, i.e. substantial, tightly juxtaposed and preferably".

Lines 7 and 8: Replace "the" with --a--.

Line 9: Delete "said".

Lines 9 and 10: Delete "with the specific format".

Line 10: Replace first "the" with -a--.

Line 11: Replace "the" with -an--.

Line 12: Replace first "the" with -an--.

Line 13: Delete "being".

Line 14: Replace "as far as" with -relating to--. Replace "its" with -the intruder's--.

Replace third "the" with -an--.

Line 15: Replace all "the" with -a--.

Lines 15 and 16: Replace "is being charged with detection" with -detects--.

Line 16: Replace "its" with -the intruder's--.

Lines 17 and 18: Replace "to the dimension" with -distance--.

Line 18: Replace the third "the" with -an--.

Line 19: Delete the third "the".

Line 21: Delete "the".

Line 22: Replace the first "the" with -an--. Delete the second "the".

Line 24: Replace "the specific format" with -a procedure--.

Line 25: Delete "in particular".

Line 26: Add "the" at the end of line 26.

Line 28: Replace "subject or a trespasser" with -object--.

Line 29: Replace "the" with -an--.

Line 30: Delete ", i.e. threats,".

Lines 31 and 32: Replace "a couple of" with -three or less--.

Line 32: Replace "a few" with separate.

Line 33: Replace "can be" with --is--. Replace "theory of combinations and technique of" with --techniques of combinations and--.

Line 34: Replace "for the complex arrangements (i.e. for the multi-echelon systems" with --for the arrangement of more than three echelons--. After "with", add --a--.

Line 35: Replace ")" with --;--.

Line 36: Replace "should be" with --is--.

Line 38: Delete "for the system".

Line 39: Replace the second "the" with --a--.

Lines 40 and 41: Replace "the" with --a--.

Lines 42 and 45: Delete first "the". Replace second "the" with --a--.

Lines 46 and 47: Delete "the".

Line 48: Replace "the" with --a--.

Line 50: Delete "being". Replace first "the" with --a--. Delete second "the".

Line 51: Replace first "the" with --a--.

Line 54: Delete "acquired". Delete "said system of".

Line 56: Delete all three "the".

Lines 58 and 59: Replace "logically correct" with --final--.

Line 60: Delete "the".

Line 61: Delete "really".

Line 63: Delete "the said".

Lines 63 and 64: Delete "is the goal function of the present method of ultrasound intrusion detection and protection"

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Line 65: Delete "said".

Line 66: Replace first "the" with --an-. Delete second "the".

Line 68: Replace "a trespasser on its actual routing preferably" with --an intruding object--.

Lines 69 and 70: Delete "the".

Claim 2:

Line 1: Change "Method" to --The method--. Change "all the" to --a--.

Lines 2-4, 12, and 17: Delete "being".

Line 4: Replace "one couple of" with --a--. Before "is", add --pair--.

Line 5: Add --the-- between the words "by ultrasound". Replace "beam" with --beams--.

Line 9: Replace "and/or" with --or--. Replace "the" with --a--.

Line 10: Delete "substantial and". Delete "the".

Line 11: Replace "all this" with --the--. Delete "even".

Lines 14 and 15: Replace "subject or trespasser" with --object--.

Line 16: Add --the-- between the words "of circumjacent".

Line 17: Delete "substantial".

Line 18: Delete "the".

Line 19: Delete first "the".

Claim 3:

Line 1: Change "Method" to --The method--.

Line 2: Delete first "the".

Line 4: Delete "said". Replace "echelon" with --echelon S--.

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Line 7: Replace "a few" with --separate--.

Line 10: Delete first "the". Replace second "the" with --previously--.

Line 14: Delete "the chosen". Replace "transducers" with --transceivers--.

Line 15: Replace "an intruder or trespasser" with --the intruding object--. Delete "said".

Line 16: Replace "echelon" with --echelon S--.

Line 17: Replace "the available capabilities to cover all the" with --covering--. Replace "surfaces" with --surface areas--.

Line 18: Delete "the said".

Line 21: Replace "being done open" with --open--. Delete "surveyed".

Lines 22 and 24: Delete "being".

Line 23: Delete "of the near field zone". Delete third "the".

Line 24: Delete "being".

Claim 4:

Line 1: Change "Method" to --The method--.

Line 3: Replace "working out" with --composing--.

Lines 3 and 4: Replace "with regard to the supposed options" with --regarding different situations--.

Line 4: Delete "purposeful". Replace "intruder or trespasser" with --the intruding object--.

Line 7: Delete "the said options of their". Delete "being".

Line 8: Replace "with taking to account" with --according to--.

Line 9: Change "trespassers" to --intruder's--.

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Line 10: Delete "critical".

Line 12: Delete "the". Delete "being".

Lines 13 and 14: Delete "or trespasser's purposeful".

Line 15: Replace "designed" with --the previously--.

Claim 5:

Line 1: Change "Method" to --The method--.

Lines 3 and 4: Replace "regarding the specific format of intrusion detection which" with --regarding commissioning of--.

Line 4: Delete "has been commissioned with".

Line 5: Replace "worked out the" with --composed--.

Line 6: Delete "surveyed".

Line 7: Replace "the" with --an--.

Line 11: Delete "the".

Line 12: Delete "being". Delete second "the".

Line 13: Delete first and second "the".

Line 14: Delete "obeying the". Delete "even".

Line 15: Replace "overlapping" with --overlap--. Replace "intruders or trespassers" with "intruding objects".

Claim 6:

Line 1: Change "Method" to --The method--. Change "the" to --a--.

Line 2: Change "the" to --an--.

Line 3: Delete "being".

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Lines 4-8: Replace "for having used them as hindrances to access the critical installations and as entrapments along the presumed routings of an intruding subject or a trespasser where this designation is being fulfilled regarding the previously simulated model of the presumptive spatio-temporal behavior of an intruding subject or a trespasser" with --for prevention of the intruding object to the installations and works--.

Line 9: Delete first "the". Replace "violation of which with the" with --where--.

Line 10: Replace "intruded subject or a trespasser should be" with --intruding object is--.

Line 11: Replace "the" with --an--.

Line 15: Delete "should".

Line 16: Replace "an intruded subject or a trespasser" with --the intruding object--.

Line 17: Insert --the-- between the words "of intrusion". Delete "being". Delete second "the".

Line 19: Delete "and respective facts".

Line 22: Delete "and facts". Delete "being".

Line 26: Replace "a few" with --more--.

Line 27: After "one" insert --or all--. Delete "or in some of them simultaneously".

Line 28: Delete "being". Delete "deterministic".

Claim 9:

Line 1: Change "Method" to --The method--.

Line 2: Delete "being". Delete "factors of".

Line 3: Delete second "the".

Line 4: Delete "being". Delete "the".

Line 5: Replace "sequent" with –sequential--.

Line 6: Replace "facilities" with –installations--.

Line 8: Delete "being".

Line 9: Replace first "the" with –echelons and their--. Delete "of the echelons and entire echelons".

Line 10: Delete "all".

Line 11: Delete first "the".

Line 12: Replace "echelons' sublevels and entire echelons" with –echelons and their sublevels--. Delete second "the".

Line 14: Delete "being". Replace "trustworthiness" with –integrity--.

Line 15: Replace "to avoid untruth propositions during resolution" with –for resolution--.

Line 18: Delete first "the". Delete "being".

Claim 10:

Line 1: Change "Method" to –The method--.

Line 2: Delete "being".

Line 3: Delete "by the sequential procedure".

Line 4: Delete "the fact".

Line 7: Delete second "the".

Line 8: Delete "said".

Allowable Subject Matter

3. Claims 1-6, 9, 10 are allowed.


Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer A Mehmood whose telephone number is (571) 272.2976. The examiner can normally be reached on M-F from 8:00am to 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Daniel Wu, can be reached at (571) 272.2964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jennifer A. Mehmood
January 5, 2007


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SUPERVISORY PATENT EXAMINER
01/08/07